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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. CR05-203-RSM  
10 v. )  
11 ROBERT EARL HAMPTON, ) SUMMARY REPORT OF U.S.  
12 Defendant. ) MAGISTRATE JUDGE AS TO  
ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
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14 An initial hearing on supervised release revocation in this case was scheduled before me  
15 on March 21, 2011. The United States was represented by AUSA Norman M. Barbosa and the  
16 defendant by Ralph Hurvitz. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about December 9, 2005 by the Honorable Ricardo  
18 S. Martinez on a charge of Bank Fraud, and sentenced to seven months custody with credit for  
19 five months state time served, five years supervised release. (Dkt. 62.)

20 The conditions of supervised release included the standard conditions plus the  
21 requirements that defendant cooperate in the collection of DNA, be prohibited from possessing  
22 a firearm or destructive device, participate in a substance abuse program, submit to search, pay

01 restitution in the amount of \$11,133.00, provide his probation officer with financial information  
02 on request, maintain a single checking account for all financial transactions, disclose all assets  
03 and liabilities, be prohibited from incurring new credit obligations or opening new lines of credit,  
04 cooperate with the IRS and pay all tax liabilities, and reside in and satisfactorily participate in  
05 a community corrections center program for up to 90 days.

06 On December 1, 2006, defendant admitted violating the conditions of supervised release  
07 by using cocaine and failing to satisfactorily participate in a CCC program. He was sentenced  
08 to two months in custody, 58 months supervised release. He was also prohibited from possessing  
09 any identification documents in any but his true identity. (Dkt. 89.)

10 On July 9, 2009, defendant's probation officer reported that he violated supervision by  
11 using cocaine. Defendant was reprimanded, testing was increased, and a revised outpatient  
12 treatment plan was conducted. No further action was taken at the time. (Dkt. 91.)

13 In an application dated March 11, 2011 (Dkt. 112, 113), U.S. Probation Officer Andrew  
14 J. Lorenzen alleged the following violation of the conditions of supervised release:

15 1. Using cocaine on or before January 3, 13; February 8, 22; and March 3, 2011, in  
16 violation of standard condition 7.

17 Defendant was advised in full as to the charge and as to his constitutional rights.

18 Defendant admitted the alleged violation and waived any evidentiary hearing as to  
19 whether it occurred.

20 I therefore recommend the Court find defendant violated his supervised release as alleged,  
21 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be  
22 set before Judge Martinez.

01 Pending a final determination by the Court, defendant has been detained.

02 DATED this 21st day of March, 2011.

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04 Mary Alice Theiler  
05 United States Magistrate Judge

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07 cc: District Judge: Honorable Ricardo S. Martinez  
08 AUSA: Norman Barbosa  
09 Defendant's attorney: Ralph Hurvitz  
10 Probation officer: Andrew J. Lorenzen  
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